

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

*Halperin*  
*RE*  
32108

**FILE:** B-219166.4 **DATE:** August 30, 1985  
**MATTER OF:** A & B Construction and Maintenance--  
Reconsideration

**DIGEST:**

Request for reconsideration of the dismissal of a protest was properly dismissed as untimely where it was filed more than a month after the dismissal of the protest.

A & B Construction and Maintenance (A&B) requests reconsideration of our dismissal of its July 30, 1985, request for reconsideration of our June 27, 1985, dismissal of its protest.

We affirm the dismissal of the request for reconsideration.

The July 30, 1985, request for reconsideration was dismissed because it was not filed within 10 working days after the basis of the request was known or should have been known. 4 C.F.R. § 21.12(b)(1985). A&B states that the request should not have been dismissed because it was filed promptly upon receipt of our July 23, 1985, letter. That letter was in response to a July 8, 1985, letter from A&B inquiring why a copy of its protest to the contracting agency filed prior to the protest to our Office was not forwarded to us by the agency before the agency decided it.

While A&B may have filed a reconsideration request within 10 working days of receipt of the July 23, 1985, information letter, the basis for the reconsideration is our June 27, 1985, dismissal. The July 30, 1985, request for reconsideration of the June 27, 1985, dismissal of the protest was properly dismissed as untimely since it was filed more than a month after the dismissal of the protest. Novak Co., Inc.--Reconsideration, B-217023.2, Jan. 25, 1985, 85-1 C.P.D. ¶ 101.

*for* *Signature* *Spine*  
Harry R. Van Cleve  
General Counsel